



The Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle, Harbor Springs, MI 49740
Tribal Chambers

Tribal Council Regular Meeting Agenda
Saturday, July 28, 2018
9:00 a.m.

Agenda subject to change and may include closed session

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

1:30 p.m. Anishinaabemowin by Wasson (as available)

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call
4. Motion to Adopt the Agenda of July 28, 2018.
5. Review and Approve Minutes of July 12, 2018.

6. **Motion** to dedicate this meeting in honor the following Tribal Citizens who have walked on: John Bott Sr., Kevin Kilborn, Mary Quick and Sue Vertz.

7. **9:15 a.m.** Traditional Tribal Burial Board-2nd Quarterly Report.

Motion to accept the verbal and written Traditional Tribal Burial, Inc. 2018 2nd Quarter Report.

8. Executive Oversight Report
Discussion:

Motion to accept the verbal and written Executive Oversight Report for July 28, 2018.

9. **9:45 a.m.** Odawa Economic Development Management, Inc.-1st and 2nd Quarter Reports.

Motion to accept the verbal and written Odawa Economic Development Management, Inc. 2018 1st and 2nd Quarter Reports.

10. Tribal Council Officer Reports

- a. Legislative Leader Report:
Discussion:

Motion to accept the verbal report from Legislative Leader Fred Harrington Jr. for July 28, 2018.

- b. Secretary Report:
 - i. Documents Delivered to the Executive:

-Tribal Resolution Transfer of Funds in Excess of "Three Year Free Play Amount" delivered to the Executive for signature on 07/13/18-**PENDING EXECUTIVE SIGNATURE** (due back to Tribal Council on/by 08/12/18).

-Waganakising Odawak Statute Gaming Authority Statute delivered to the Executive for signature on 07/13/18-**PENDING EXECUTIVE SIGNATURE** (due back to Tribal Council on/by 08/12/18).

-Waganakising Odawak Statute Odawa Construction Corporation delivered to the Executive on 07/16/18- **PENDING EXECUTIVE SIGNATURE** (due back to Tribal Council on/by 08/15/18).

-Waganakising Odawak Statute Odawa Economic Affairs Holding Corporation delivered to the Executive on 07/16/18- **PENDING EXECUTIVE SIGNATURE** (due back to Tribal Council on/by 08/15/18).

ii. Vetoes: (a vote of Tribal Council to override a veto shall occur within 90-days of the veto):

-Tribal Resolution Appropriation of Funds for the 2019 Fiscal Year Operating Budgets was delivered to the Executive on 05/07/18 and was **VETOED** on 06/06/18.

(NOTE: The budget was referred back to the Appropriations and Finance Committee.)

iii. Phone Polls passed by Tribal council: none

Motion to accept Secretary Kiogima's verbal and written report as provided on the agenda for July 28, 2018.

c. Treasurer Report:

i. **Appropriations and Finance Committee:**

-Last Meeting: July 17, 2018

(Motions made at the Appropriations and Finance Committee Meeting)

-**Motion** made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-01 Request for Funding from the U.S. Department of Health and Human Services, Indian Health Service-Sanitation Program, Well & Septic Systems Contract Be-17-K01 Modification #01 Funding Increase.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-**Motion** made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-02 Request for Funding from Department of Justice (DOJ), Office of Justice Programs (OJP), Office for Victims of Crime (OVC), FY 2018 Tribal Victim Services Set-Aside Program.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-**Motion** made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-03 Request for Funding from the United States Department of Interior, Bureau of Indian Affairs, FY 2018 Rights Protection Implementation Supplemental Funding.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-**Motion** made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-04 Request for

Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services, FY 2019 Food Distribution Program on Indian Reservations (FDPIR).

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-05 Request for Funding from the United States Department of Interior, Bureau of Indian Affairs, P.L. 93-638 Annual Funding Agreement, 2019 Consolidated Tribal Government Programs Annual Contract.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-06 Request for Funding from the United States Department of Interior, Bureau of Indian Affairs, P.L. 638 Annual Funding Agreement, 2019 Law Enforcement Annual Contract.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-07 Request for Funding from the U.S. Department of Health and Human Services, Indian Health Service, Little Traverse Bay Bands of Odawa Indians FY 2019 Annual Funding Agreement.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-08 Request for Funding from the State of Michigan, Department of Health & Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit, Child Care Fund In-Home Care FY 2019.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-09 Request for Funding from the State of Michigan, Department of Health & Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit, Child Care Fund Intensive Care FY 2019.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 071818-10 Request for Funding from the Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Prevention, Tribal Opioid Response Grant.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to approve Certified Motion # 072818-11 Ziibimijwang, Inc. Request for Funding through the Kresge Foundation, Frey Foundation, W.K. Kellogg Foundation, and the First Nations Development Institute.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)

Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to adopt Tribal Resolution Budget Modification for Youth Services Vehicle in the amount of \$42,490.00.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)
Motion carried.

-Motion made by Councilor McNamara and supported by Councilor Wemigwase to recommend to Tribal Council to adopt Tribal Resolution Budget Modification for NRD modular in the amount of \$32,000.00.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)
Motion carried.

-Motion made by Councilor Wemigwase and supported by Councilor McNamara to recommend to Tribal Council to adopt Tribal Resolution Supplemental funding in the amount of \$34,400.00 to pay detention costs.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Reyes)
Motion carried.

-Next Meeting: August 14, 2018 at 9:00 a.m. in Council Chambers.

Phone Polls passed by Appropriations and Finance Committee: none

Motion to accept the Appropriations and Finance Committee verbal report as provided on the agenda by Treasurer Reyes, Committee Chairperson for July 28, 2018.

ii. **Land and Reservation Committee:**

-Last Meeting: May 11, 2018

-June 1 and July 6, 2018 meetings were cancelled due to a Lack of Agenda.

(Motions made at Land and Reservation Committee Meeting)

-Next Meeting: August 3, 2018 at 9:00 a.m. in Council Chambers.

Phone Polls passed by Land and Reservation Committee: none

Motion to accept the Land and Reservation Committee verbal report as provided on the agenda by Treasurer Reyes, Committee Chairperson for July 28, 2018.

11. Tribal Council Member Reports:

- a. Treasurer Reyes-Attendance of Tribal Citizens Meeting in Grand Rapids, MI.

Motion to accept Treasurer Reyes' verbal report as presented on July 28, 2018.

- b. Councilor McNamara-Attendance of the Odawa Casino Resort-Mackinaw City Casino Grand opening.

Motion to accept Councilor McNamara's verbal report as presented on July 28, 2018.

- c. Councilor Proctor-Attendance of Tribal Citizens Meeting in Grand Rapids, MI.

Motion to accept Councilor Proctor's verbal and written report as presented on July 28, 2018.

- d. Councilor Wemigwase-Sports betting and Tribal Citizens Meeting in Grand Rapids, MI.

Motion to accept Councilor Wemigwase's verbal report as presented on July 28, 2018.

- e. Secretary Kiogima-Discrimination in Public Schools forum.

Motion to accept Secretary Kiogima verbal report as presented on July 28, 2018

12. Legislative Office Reports:

- a. Office of Finance and Revenue:
Discussion:

Motion to accept Sr Financial Analyst Rachel Cope's verbal and written report as presented on July 28, 2018.

Motion to acknowledge receipt of the May 2018 Update and Financial Reports for Odawa Casino Resort as provided to Tribal Council by Sr Financial Analyst Rachel Cope.

- b. Tribal Historic Preservation Officer: Deputy Tribal Historic Preservation Officer Melissa Wiatrolik's monthly report.

Motion to acknowledge receipt of Deputy Tribal Historic Preservation Officer Melissa Wiatrolik's written report for July 28, 2018.

- c. Legislative Services Attorney: LSA July 2018
Discussion:

Motion to accept Legislative Services Attorney Donna Budnick's verbal and written report as presented on July 28, 2018.

- d. General Counsel:
Discussion:

Motion to accept General Counsel Jim Bransky's (written or verbal) report as presented on July 28, 2018.

- e. Legislative Office Manager:

Motion to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on July 28, 2018.

13. Corporate Charters and/or Board Updates:

- a. Ziibimijwang, Inc.-2nd Quarterly Report

Motion to acknowledge receipt of Ziibimijwang, Inc. 2018 2nd Quarterly Report.

- b. Gaming Enterprise Board

14. Tribal Council Action Items:

- a. Motions
 - i. **Motion** to approve Certified Motion # 072818-01 Request for Funding from the U.S. Department of Health and Human Services, Indian Health Service-

Sanitation Program, Well & Septic Systems Contract Be-17-K01 Modification #01 Funding Increase.

- ii. **Motion** to approve Certified Motion # 072818-02 Request for Funding from Department of Justice (DOJ), Office of Justice Programs (OJP), Office for Victims of Crime (OVC), FY 2018 Tribal Victim Services Set-Aside Program.
- iii. **Motion** to approve Certified Motion # 072818-03 Request for Funding from the United States Department of Interior, Bureau of Indian Affairs, FY 2018 Rights Protection Implementation Supplemental Funding.
- iv. **Motion** to approve Certified Motion # 072818-04 Request for Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services, FY 2019 Food Distribution Program on Indian Reservations (FDPIR).
- v. **Motion** to approve Certified Motion # 072818-05 Request for Funding from the United States Department of Interior, Bureau of Indian Affairs, P.L. 93-638 Annual Funding Agreement, 2019 Consolidated Tribal Government Programs Annual Contract.
- vi. **Motion** to approve Certified Motion # 072818-06 Request for Funding from the United States Department of Interior, Bureau of Indian Affairs, P.L. 638 Annual Funding Agreement, 2019 Law Enforcement Annual Contract.
- vii. **Motion** to approve Certified Motion # 072818-07 Request for Funding from the U.S. Department of Health and Human Services, Indian Health Service, Little Traverse Bay Bands of Odawa Indians FY 2019 Annual Funding Agreement.
- viii. **Motion** to approve Certified Motion # 072818-08 Request for Funding from the State of Michigan, Department of Health & Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit, Child Care Fund In-Home Care FY 2019.
- ix. **Motion** to approve Certified Motion # 072818-09 Request for Funding from the State of Michigan, Department of Health & Human Services, Bureau of Juvenile Justice Community Programming and Support Services, Child Care Fund Unit, Child Care Fund Intensive Care FY 2019.
- x. **Motion** to approve Certified Motion # 071818-10 Request for Funding from the Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Prevention, Tribal Opioid Response Grant.
- xi. **Motion** to approve Certified Motion # 072818-11 Ziibimijwang, Inc. Request for Funding through the Kresge Foundation, Frey Foundation, W.K. Kellogg Foundation, and the First Nations Development Institute.
- xii. **Motion** to approve Citizenship List A-Eligible for Citizenship dated July 18, 2018 for a total of seven (7).
- xiii. **Motion** to approve Citizenship List B-Declination (Ineligible) dated July 18, 2018 for a total of one (1).

- xiv. **Motion** to re-post LEG-230 Odawa Aviation Corporation Statute to the Legislative Calendar in the Odawa Register as sponsored by Legislative Leader Fred Harrington Jr.
- xv. **Motion** to re-post LEG-222 Odawa Holding Economic Affairs Corporate Charter to the Legislative Calendar in the Odawa Register as sponsored by Legislative Leader Fred Harrington Jr.
- xvi. **Motion** to re-post LEG-223 Odawa Construction Inc., Corporate Charter to the Legislative Calendar in the Odawa Register as sponsored by Legislative Leader Fred Harrington Jr.
- xvii. **Motion** to re-post LEG-231 Contracting Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Shananaquet.
- xviii. **Motion** to post the Elder's Food, Utilities and Medical Cost Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor McNamara.
- xix. **Motion** to post the Odawa Historical and Cultural Sites Statute to the Legislative Calendar in the Odawa Register as sponsored by Councilor Proctor.
- xx. **Motion** to approve Tribal Council attendance to the Regulating Sports Betting Training to be held on August 6th & 7th, 2018 at the Odawa Casino Resort Ovation Hall from 8:30 a.m.-5:00 p.m. including registration cost of \$600 per person.
- xxi.

b. Roll Call Votes

- i. **Motion** to adopt Tribal Resolution Budget Modification for Youth Services Vehicle in the amount of \$42,490.00.
- ii. **Motion** to adopt Tribal Resolution Budget Modification for NRD modular in the amount of \$32,000.00.
- iii. **Motion** to adopt Tribal Resolution Supplemental funding in the amount of \$34,400.00 to pay detention costs.
- iv. **Motion** to adopt Tribal Resolution Banning of Offensive Clothing Apparel.
- v. **Motion** to pass Waganakising Odawak Statute Amendment to Waganakising Odawak Statute # 2008-011 Fair Employment.
- vi. **Motion** to pass Waganakising Odawak Statute Michelle Chingwa Education Honorarium Act.
- vii. **Motion** to appoint Greg Karlis to serve the balance of a three (3) year term expiring January 21, 2021 on the Gaming Enterprise Board upon obtaining a clean Background Investigation Report and a Primary Gaming License

from the Gaming Regulatory Commission. (**Note:** *Previous member term expired on January 18, 2018*)

Per Waganakising Odawak Statute 2015-009 and the Gaming Enterprise Board Appointment Policy, "*All positions filled shall be by an affirmative majority vote of Tribal Council members present in an open session.*"

- viii. **Motion** to re-appoint Mary Kilmer to serve the balance of a three (3) year term expiring November 5, 2020 on the Gaming Enterprise Board upon receipt of an affidavit of no change to previous Background Investigation Report and obtaining a Primary Gaming License from the Gaming Regulatory Commission.

(**Note:** *Mary's previous term expired on November 17, 2017*)

15. Other Items of Business:

a.

Adjournment

Next Scheduled Meeting
Thursday, August 9, 2018 at 9:00 a.m.